

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-CV-609-D

ARTHUR E. DAVIS, III,

Plaintiff,

v.

DEBRA K. DAVIS, et al.,

Defendants.

ORDER

On June 29, 2022, the court held a hearing to determine whether plaintiff Arthur E. Davis, III complied with the court's orders to pay defendants \$26,041.50 or could produce evidence indicating a present inability to pay. See [D.E. 61, 72, 79, 80]. At the hearing, plaintiff submitted a written motion asking the court to reconsider its ruling finding plaintiff in contempt [D.E. 81].

As for compliance with the court's orders, plaintiff stated that he has not complied with the court's orders but has made an additional \$175.00 payment. Plaintiff currently owes defendants \$25,866.50. As for his ability to comply, plaintiff proffered financial statements and other documents indicating that he is presently unable to pay a lump sum of \$25,866.50. See [D.E. 82, 82-1, 82-2, 82-3]. However, plaintiff argues, and the documents he submitted appear to corroborate, that he is able to make monthly payments of \$1,155.00. Therefore, the court ORDERS as follows:

1. The court DENIES plaintiff's motion for reconsideration [D.E. 81].

2. Plaintiff REMAINS in contempt of court and subject to possible sanctions for contempt, including incarceration. Plaintiff can purge his contempt of court by paying in full the \$25,866.50 he currently owes to defendants.

3. Plaintiff SHALL pay to defendants, through their counsel, \$1,155.00 every month until

he has paid the \$25,866.50 that he currently owes to defendants. Each monthly payment shall be due not later than the fifteenth (15th) day of each month.

4. Plaintiff SHALL provide to the court and defense counsel monthly bank statements and credit card statements not later than the fifteenth (15th) day of each month for:

- (1) himself, Arthur E. Davis, III;
- (2) his wife, Christy W. Davis;
- (3) Arthur E. Davis III Chartered LLC (plaintiff's business); and
- (4) Bowdon Minter LLC (Christy W. Davis's business).

These monthly filings SHALL be placed on the docket under seal.

5. Defendants MAY conduct discovery of plaintiff's assets, liabilities, and income consistent with the Federal Rules of Civil Procedure.

6. Until plaintiff pays the \$25,866.50 that he owes to defendants, defendants MAY file a motion requesting alternative or accelerated payments.

7. Defendants MAY file a renewed motion for attorneys' fees and costs in connection with the continued contempt proceedings in this case.

The Clerk shall both mail and email this order to plaintiff.

SO ORDERED. This 19 day of June, 2022.


JAMES C. DEVER III
United States District Judge